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DE RUEHMU #1242/01 2841700
ZNR UUUUU ZZH
R 101700Z OCT 08
FM AMEMBASSY MANAGUA
TO RUEHC/SECSTATE WASHDC 3239
INFO RUEATRS/DEPT OF TREASURY WASHINGTON DC
RUEHZA/WHA CENTRAL AMERICAN COLLECTIVE

UNCLAS MANAGUA 001242

STATE FOR WHA/CEN, EB/IFD/OIA, AND L/CID
STATE ALSO FOR WHA/EPSC
STATE PASS TO USTR
TREASURY FOR INL AND OWH

SIPDIS

E.O. 12958: N/A

TAGS: EINV ECON USTR KIDE NU

SUBJECT: NICARAGUA: AMCIT PROPERTY CLAIMS MONTHLY UPDATE: SEPTEMBER 2008

REF: (C) MANAGUA 1084

SUMMARY

¶1. In September 2008, the Government of Nicaragua (GON) did not report the resolution of any Embassy registered property claims. There remain 621 unresolved registered property claims belonging to 296 Amcits in the Embassy's data base. On September 25, U.S. citizen Norman Senfeld received the first payment of \$2.5 million in the form of indemnification bonds ("bonos de pago de indemnizacion" or BPIs). To date, the overwhelming majority of resolutions have involved compensation via government-issued BPIs. As of August 31, 2008, the GON had issued BPIs with a face value of \$333,975,518.06 to Embassy-registered claimants. Since taking office in January 2007, the Ortega administration has resolved 52 claims, five during the 2008-2009 waiver year.

NO RESOLUTIONS IN SEPTEMBER

¶2. The GON did not resolve any U.S. citizen claims registered with the Embassy Property Office in September of the 2008-2009 waiver year.

SENFELD RECEIVES BONDS

¶3. On September 25, 2008, U.S. citizen Norman Senfeld received the first payment of \$2.5 million in the form of BPIs. On August 14, Mr. Senfeld signed a settlement document, or "finiquito," for the equivalent of \$5 million dollars to resolve his three property claims. Mr. Senfeld will receive the second payment of \$2.5 million in BPIs in November 2009 (reftel).

STATUS OF AMCIT PROPERTY AS OF 09/30/08

¶4. The following is a snapshot of current U.S. citizen property claims. The Embassy maintains separate databases for claims registered before and after the July 31, 2005, deadline in the Consolidated Appropriations Act.

EMBASSY-REGISTERED CLAIMS	NUMBER
Total Amcits with pending claims	296
Total Amcits claims pending resolution	621

EMBASSY-REGISTERED CLAIMS BY CALENDAR YEAR NUMBER

Claims resolved calendar year 2008	42
Claims resolved calendar year 2007	10
Claims resolved calendar year 2006	81
Claims resolved calendar year 2005	126
Claims resolved calendar year 2004	218
Claims resolved calendar year 2003	243
Claims resolved calendar year 2002	125
Claims resolved calendar year 2001	175
Claims resolved calendar year 2000	70

EMBASSY-REGISTERED CLAIMS RESOLVED BY WAIVER YEAR NUMBER

Registered claims resolved so far in 2008-09 (waiver year: July 29, 2008 - July 29, 2009)	5
Registered claims resolved 2007-08 waiver year	42
Registered claims resolved 2006-07 waiver year	34
Registered claims resolved 2005-06 waiver year	86
Registered claims resolved 2004-05 waiver year	187
Registered claims resolved 2003-04 waiver year	214
Registered claims resolved 2002-03 waiver year	183
Registered claims resolved 2001-02 waiver year	160
Registered claims resolved 2000-01 waiver year	142
Registered claims resolved 1999-00 waiver year	77
Registered claims resolved 1998-99 waiver year	156
Registered claims resolved 1997-98 waiver year	204
Registered claims resolved 1996-97 waiver year	145

EMBASSY-REGISTERED CLAIMS UNDER GON CONTROL NUMBER

Total Amcit properties under GON control (subject to revision)	53
GON-held claims resolved 2008-09 waiver year	0
GON-held claims resolved 2007-08 waiver year	1
GON-held claims resolved 2006-07 waiver year	0
GON-held claims resolved 2005-06 waiver year	3
GON-held claims resolved 2004-05 waiver year	16
GON-held claims resolved 2003-04 waiver year	12
GON-held claims resolved 2002-03 waiver year	11
GON-held claims resolved 2001-02 waiver year	26
GON-held claims resolved 2000-01 waiver year	2
GON-held claims resolved 1999-00 waiver year	2

GON-held claims resolved 1998-99 waiver year	5
GON-held claims resolved 1997-98 waiver year	29
GON-held claims resolved (total)	176

CLAIMS DISMISSED BY GON DURING THE 2007-08 WAIVER YEAR NUMBER

MARCH 2008	73
FEBRUARY 2008	21
JANUARY 2008	34
NOVEMBER 2007	18

NUMBER

DECISION AGAINST U.S. CLAIMANT IN COURT	9
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(CLAIM WITHDRAWN BY AMCIT)

CLAIMS WITHDRAWN BY AMCITS	1
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(PROPERTY UNDER AMCIT CONTROL)

CLAIMS WITHDRAWN BY AMCITS FOR LACK OF SUPPORTING DOCUMENTS	1
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TOTAL CLAIMS RESOLVED BY LAND SWAPS	6
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TOTAL CLAIMS COMPENSATED VIA BONDS (face value of bonds \$333.97 million)	1,897
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NON-REGISTERED RESOLUTIONS BY WAIVER YEAR NUMBER

Non-registered resolutions 2008-09 waiver year	0
Non-registered resolutions 2007-08 waiver year	6
Non-registered resolutions 2006-07 waiver year	12
Non-registered resolutions 2005-06 waiver year	30
Non-registered resolutions 2004-05 waiver year	0
Non-registered resolutions 2003-04 waiver year	6
Non-registered resolutions 2002-03 waiver year	22
Non-registered resolutions 2001-02 waiver year	93
Non-registered resolutions 2000-01 waiver year	300
Non-registered resolutions 1999-00 waiver year	455
Non-registered resolutions 1998-99 waiver year	310
Non-registered resolutions 1997-98 waiver year	230
Non-registered resolutions 1996-97 waiver year	208

NON-WAIVER CLAIMS REGISTERED AFTER JULY 31, 2005 NUMBER

Total Amcit claimants registered with Embassy	15
Total Amcit claims pending resolution	21

NON-WAIVER CLAIMS RESOLVED BY CALENDAR YEAR NUMBER

Claims resolved in calendar year 2008

1

CALLAHAN